

Message Text

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SUBJECT: MARITIME AFFAIRS: CONSULTATIVE PROCEDURE

REF: STATE 154446

1. FOLLOWING IS TEXT OF FRENCH PROPOSAL FOR ESTABLISHMENT
OF PERMANENT CONSULTATIVE STRUCTURE, DESCRIBED REFTEL:

QUOTE. AT PRESENT, THE MARITIME LAWS OF A NUMBER OF COUN-
TRIES ARE CONTRADICTORY AND ARE ALL BASED ON DIFFERING
TRADITIONS AND INTERESTS. THEREFORE, NO RAPID CHANGES
IN THEM CAN BE EXPECTED.

HOWEVER, ACCORDING TO THE STATEMENTS MADE BY THE DIFFERENT
DELEGATIONS, THERE DOES EXIST A DESIRE TO REACH A COMPRO-
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MISE.

UNDER THESE CIRCUMSTANCES, THE SOLUTION MIGHT BE THE ESTAB-
LISHMENT OF A PERMANENT CONSULTATIVE STRUCTURE. WITHOUT
INFRINGING NATIONAL LAW, THIS PROCEDURE WOULD MAKE IT
POSSIBLE TO BRING TO THE NEGOTIATION OF A COMPROMISE ALL
INFORMATION NECESSARY FOR AN HONEST EVALUATION OF THE

INTERESTS OF THE PARTIES.

IF SUCH A BODY WERE SET UP, NO JUDICIAL PROCEDURE OR
DECISION COULD BE TAKEN TO ENFORCE THE LAWS OF THE
COUNTRIES INVOLVED BEFORE THE CONCLUSION OF THE AFORE-
MENTIONED CONSULTATIONS.

IF NO AGREEMENT IS REACHED DURING THESE CONSULTATIONS,
THERE WOULD FOLLOW A PERIOD FOR REFLECTION TO BE ESTAB-
LISHED ON A CASE-BY-CASE BASIS DEPENDING ON THE URGENCY
OF THE PROBLEM, WHICH WOULD GIVE TIME FOR EVALUATION
OF THE POLITICAL, LEGAL, AND COMMERCIAL CONSEQUENCES
OF THE OPPOSING POSITIONS BEFORE ENFORCEMENT OF NATIONAL
LAW. UNQUOTE. VANCE

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